

**Senate Study Bill 3107 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON JUDICIARY BILL BY  
CHAIRPERSON KREIMAN)

**A BILL FOR**

1 An Act relating to eluding or attempting to elude a marked law  
2 enforcement vehicle, and providing a penalty.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.279, subsection 2, Code 2009, is  
2 amended to read as follows:

3 2. a. The driver of a motor vehicle commits an aggravated  
4 misdemeanor if the driver willfully fails to bring the motor  
5 vehicle to a stop or otherwise eludes or attempts to elude a  
6 marked official law enforcement vehicle that is driven by a  
7 uniformed peace officer after being given a visual and audible  
8 signal as provided in this section and in doing so exceeds the  
9 speed limit by twenty-five miles per hour or more.

10 b. The driver of a motor vehicle commits an aggravated  
11 misdemeanor if the driver willfully fails to bring the motor  
12 vehicle to a stop or otherwise eludes or attempts to elude a  
13 marked official law enforcement vehicle that is driven by a  
14 uniformed peace officer after being given a visual and audible  
15 signal as provided in this section and in doing so endangers  
16 the safety or property of another driver of a motor vehicle,  
17 pedestrian, bicyclist, or real property owner or lessee, other  
18 than a peace officer acting within the official capacity of the  
19 officer.

20 Sec. 2. IMPLEMENTATION OF ACT. Section 25B.2, subsection  
21 3, shall not apply to this Act.

22 EXPLANATION

23 This bill relates to eluding or attempting to elude a marked  
24 law enforcement vehicle.

25 The bill provides that a driver of a motor vehicle commits an  
26 aggravated misdemeanor if the driver willfully fails to bring  
27 the motor vehicle to a stop or otherwise eludes or attempts to  
28 elude a marked official law enforcement vehicle that is driven  
29 by a uniformed peace officer after being given a visual and  
30 audible signal and in doing so endangers the safety or property  
31 of another driver of a motor vehicle, pedestrian, bicyclist,  
32 or real property owner or lessee, other than a peace officer  
33 acting within the official capacity of the officer.

34 An aggravated misdemeanor is punishable by confinement for  
35 no more than two years and a fine of at least \$625 but not more

1 than \$6,250.

2     The bill may include a state mandate as defined in Code  
3 section 25B.3. The bill makes inapplicable Code section 25B.2,  
4 subsection 3, which would relieve a political subdivision from  
5 complying with a state mandate if funding for the cost of  
6 the state mandate is not provided or specified. Therefore,  
7 political subdivisions are required to comply with any state  
8 mandate included in the bill.